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June 30, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: MB Docket No. 03-15
WHNS-DT (Greenville, South Carolina)
Facility ID No. 72300
FCC File No. BMPCDT-10030917ADT
Request for Waiver of July 1, 2005 Replication/Maximization Deadline

Dear Ms. Dortch:

As a precautionary measure, Meredith Corporation ("Meredith"), permittee of WHNS-DT (Greenville, South Carolina) (the "Station"), by its attorneys, hereby requests waiver of the Commission's July 1, 2005 replication/maximization interference protection deadline. Pursuant to Special Temporary Authority ("STA"), WHNS-DT currently serves 100 percent of the number of viewers served by the facility upon which the Station's replication coverage was based and thus, having elected its NTSC channel, should be entitled to full protection of its maximized service area as specified in the above-referenced permit.

In its *Second DTV Periodic Review Report and Order*,¹ the Commission adopted a July 1, 2005 replication/maximization interference protection deadline for DTV licensees affiliated with the top-four networks in the top 100-ranked designated market areas ("DMAs"). If a station that received a tentative channel designation on a channel that was not its current DTV channel did not serve "at least 100 percent of the number of viewers served by the 1997 facility on which their replication coverage was based" by July 1, the station would lose interference protection to the unserved area.² A station that received a tentative channel designation on a channel other than its current DTV channel and provided service to the same number of viewers as its replicated service area would "preserve their right to maximize/replicate on their ultimate DTV

¹ Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Report and Order*, 19 FCC Rcd 18279 (rel. Sept. 7, 2004) ("*Report and Order*").

² *Id.*, ¶ 78.

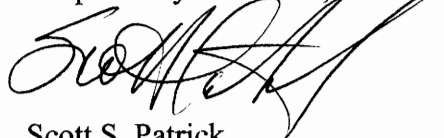
channel.”³ The Commission further stated that, in cases where a station was unable to meet the applicable deadline due to “circumstances beyond a station’s control,” it would “grant extensions of the applicable replication or maximization interference protection deadline on a six-month basis if good cause is shown.”⁴

Meredith believes that once its NTSC channel election is “locked-in,” it formally can avail itself of the Commission’s policies conferring maximization protection on those stations that serve 100 percent of their replicated service areas. In its first round digital channel election form (FCC Form 382), Meredith elected the Station’s currently assigned NTSC channel, Channel 21, for final DTV operation (See FCC File No. BFRECT-20050209AUI). Meredith has not yet received a tentative DTV channel designation for WHNS-DT, however, as the Commission’s engineering analysis indicated that the proposed digital operation of the Station would cause impermissible interference. As the attached letter indicates, Meredith was given until August 8, 2005, to resolve this conflict.

Presuming that Meredith ultimately receives a tentative DTV channel designation for the Station on its elected Channel 21, the Station will comply with the Commission’s maximization/replication protection policies because it currently serves 100 percent of its replicated service area. The Station currently operates pursuant to STA with facilities that provide service to 100 percent of the number of viewers served by the 1997 facility on which the Station’s replication coverage was based (See FCC File No. BEDSTA-20041110ADK).⁵ Meredith therefore believes that it satisfies the Commission’s requirements for the protection of the Station’s maximized service area as specified in FCC File No. BMPCDT-20030917ADT.

Based upon the foregoing, Meredith believes that the Station complies with the Commission’s replication/maximization interference protection policies. In an abundance of caution, however, and to the extent necessary, Meredith respectfully requests that the Commission waive the July 1, 2005 interference protection deadline for WHNS-DT. Should any questions arise, please contact the undersigned.

Respectfully submitted,



Scott S. Patrick

Enclosure

cc (w/encl.): Shaun Maher (FCC)

³ *Id.*, ¶ 82.

⁴ *Id.*, ¶ 87. See also Public Notice, DTV Channel Election Issues – Compliance with the July 1, 2005 Replication Maximization Interference Protection deadline; Stations Seeking Extension of the Deadline, DA 05-1636 (rel. June 15, 2005).

⁵ On June 6, 2005, Meredith requested extension of this STA, and this request remains pending at the Commission.

ATTACHMENT

Interference Conflict Letter



Federal Communications Commission
Washington, D.C. 20554

June 7, 2005

IN REPLY REFER TO:
2-A726-NS

MEREDITH CORPORATION
1716 LOCUST STREET
DES MOINES, IA 50309-3023

Re: WHNS
GREENVILLE, SC
First Round Channel Election Application
File No. BFRECT-20050209AUI
Facility ID No. 72300

Dear Applicant:

This is with respect to the above-referenced DTV channel election application filed in the first round of DTV elections, whereby you elect to keep your allotted NTSC channel as your post-transition DTV channel.

In the *Second DTV Periodic Review Report and Order* in MM Docket No. 03-15,¹ the Commission adopted a multi-step channel election process through which broadcast licensees and permittees select their ultimate DTV channel inside the core (*i.e.*, channels 2-51). In the first round, licensees with in-core channels (either one or two in-core channels) filed First Round Election Forms on February 10, 2005, selecting which assigned channel they prefer to use for digital operations. We have completed our first round interference conflict analysis to determine whether elected NTSC channels would cause more than 0.1% interference in addition to existing interference to: (1) an in-core DTV channel that was elected in the first round; (2) an in-core DTV channel of any licensee that elected its NTSC channel in the first round, which may need to revert to its DTV channel if its elected NTSC channel is not available; or (3) another in-core NTSC channel selected in the first round by a station with an out-of-core DTV channel or a licensee with a single channel.

Our engineering analysis indicates that the proposed digital operation on your elected NTSC channel would result in impermissible interference to the following station(s):

0.8% to elected DTV channel 21, WPBA, ATLANTA, GA
0.2% to elected DTV channel 22, WCNC, CHARLOTTE, NC

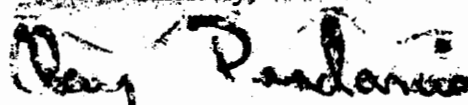
Pursuant to the *Second Periodic Review*, you have 60 (sixty) days from the date of this letter to file a First Round Conflict Decision Form 383, indicating how you will resolve the above-referenced interference conflict. Licensees with interference conflicts may decide to maintain their in-core NTSC election by reducing their operating facilities to eliminate interference; by

¹ *Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, 19 FCC Rcd 18,279 (2004).

negotiating a conflict resolution agreement with the station(s) with which they are in conflict; by changing their election to their in-core DTV channel; or by electing to participate in the second round of elections if they are a single "one-in-core" licensee or a "two-low-VHF" licensee (channel 2-6). A licensee may agree to accept interference as long as it is still able to serve all of its community of license.²

If you have any questions, please contact Nazifa Sawez at 202-418-7059. Failure to comply with the requirement of this letter within the time specified herein will result in the denial of your channel election application. A copy of this letter is being sent to each of the affected stations.

Sincerely,

A handwritten signature in dark ink, appearing to read "Clay C. Pendarvis", is written over a horizontal line.

Clay C. Pendarvis
Associate Chief
Video Division
Media Bureau

² *Second Periodic Review*, 19 FCC Rcd at para 55.